

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Southern Division

U.S.A. vs. Anthony Wayne Lemmonds

Docket No. 7:08-CR-122-1F

Petition for Action on Supervised Release

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Anthony Wayne Lemmonds, who, upon an earlier plea of guilty to Conspiracy To Possess with the Intent to Distribute more than 500 Grams of a Mixture or Substance Containing a Detectable Amount of Methamphetamine, in violation of 21 U.S.C. § 846, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge on December 8, 2009, to the custody of the Bureau of Prisons for a term of 91 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On August 4, 2011, pursuant to a Rule 35 motion the imprisonment sentence was reduced to 68 months.

Anthony Wayne Lemmonds was released from custody on June 24, 2013, at which time the term of supervised release commenced.

On June 17, 2015, a violation report was submitted to the court advising that the defendant tested positive for methamphetamine. As this was the defendant's first infraction, supervision was permitted to continue and he was placed in the Surprise Urinalysis Program (SUP) at the highest level and referred to substance abuse treatment at Chemical Dependency Training Evaluation & Guidance (CDTEG) in Jacksonville, North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 13, 2015, Lemmonds submitted to a urinalysis screening, which was confirmed as positive for morphine by Alere Laboratories. Lemmonds was confronted about this test on September 2, 2015, at which time he admitted to taking pain medication without a prescription. Lemmonds will remain in the Surprise Urinalysis Program at the highest level and outpatient substance abuse treatment will continue.

As a sanction for the violation conduct, the probation officer recommends imposition of a two day period of custody in the Bureau of Prisons.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,
/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.
/s/ Kristyn Super
Kristyn Super
U.S. Probation Officer
200 Williamsburg Pkwy Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5104
Executed On: September 4, 2015

ORDER OF THE COURT

Considered and ordered this 8th day of September, 2015 and ordered filed and
made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge